

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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:
EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION, :
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Plaintiff, : 07-CV-8383 (LAP/HP)
:
v. : ECF ACTION
:
BLOOMBERG L.P., :
:
Defendant. :
:
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JILL PATRICOT, TANYS LANCASTER, :
JANET LOURES, MONICA PRESTIA, :
MARINA KUSHNIR and MARIA :
MANDALAKIS, :
:
Plaintiff-Intervenors, :
:
v. :
:
BLOOMBERG L.P., :
:
Defendant. :
:
----- X

**DEFENDANT BLOOMBERG L.P.'S NOTICE OF MOTION TO EXCLUDE THE
REPORTS AND TESTIMONY OF DR. EUGENE BORGIDA**

PLEASE TAKE NOTICE that Defendant Bloomberg L.P. ("Bloomberg") pursuant to Federal Rules of Evidence 702 and 403 and upon: (1) the accompanying Memorandum of Law in Support of Defendant's Motion to Exclude the Reports and Testimony of Dr. Eugene Borgida; and (2) the Declaration of Eric S. Dreiband, and the exhibits attached thereto, will move this Court, before the Honorable Loretta A. Preska, in the United States District Court, at the United

States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, on a date and time to be designated by the Court, for an Order excluding in their entirety Dr. Borgida's proposed reports and testimony or, at a minimum, precluding Dr. Borgida from offering any case-specific opinions about Bloomberg.

Defendant requests oral argument on its Motion to Exclude the Reports and Testimony of Dr. Eugene Borgida only if the Court should deem oral argument necessary. Defendant does not request a *Daubert* evidentiary hearing on its Motion to Exclude the Reports and Testimony of Dr. Eugene Borgida.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, shall be served by Plaintiff no later than June 11, 2010, and any reply papers shall be served by Defendant no later than June 25, 2010.

Dated: May 14, 2010

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CERTIFICATE OF SERVICE

The undersigned certifies that, on May 14, 2010, I caused a copy of Defendant Bloomberg L.P.'s Notice of Motion to Exclude the Reports and Testimony of Dr. Eugene Borgida to be served by e-mail upon the following counsel of record:

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